

GUIDELINE 2-1 FUNDING

MAXIMIZING STATE AND FEDERAL FUNDING

1. All persons who are eligible for waiver services are required to be in the waiver, or the only funds that will be available to them to purchase services are the State funds that would be used to pay the state match for supports covered by Medicaid.
2. Persons who are new to supports and who are eligible for a waiver will be placed on the appropriate waiver at the time of entry into services.
3. When it is clear that a spend-down, necessary to participate in the waiver, equals or exceeds the cost of the appropriate service or support, the support coordinator may request an exception from the region director to allow full State funding. Approval for this exception rests with the region director.
4. All decisions made in relationship to this policy have the option of appeal, following review by the supervisor, region director, division director, and/or the formal department appeals process.

GUIDELINE 2-1 RELATED CONDITIONS

RELATED CONDITIONS THAT MAKE A PERSON ELIGIBLE FOR HOME AND COMMUNITY-BASED WAIVER SERVICES

1. Code of Federal Regulations (42 CFR 435.1009) states that eligibility for waiver services be based on conditions attributable to a) cerebral palsy, epilepsy, or autism, or b) any other conditions, other than mental illness, found to be closely related to mental retardation because the conditions result in impairments similar in general intellectual functioning or adaptive behavior similar to that of persons with mental retardation and requires treatment or services similar to those required for these persons.
2. The Division uses the following definitions to define any other condition:
 - a) Intellectual impairment* two standard deviations below the mean (e.g., 70 or less) shall suggest presumptively the eligibility of the person, if all other conditions (e.g., impaired adaptive functioning deficits occur concurrently and required services are similar to those needed by persons with mental retardation,** etc.) are satisfied.
 - b) Intellectual impairment* at least one standard deviation below the mean (e.g., 85-71) may suggest eligibility, if all other conditions (e.g., impaired adaptive functioning deficits occur concurrently and required services are similar to those needed by persons with mental retardation,** etc.) are satisfied.
 - c) Intellectual impairment* within one standard deviation of the mean (e.g., 86-100) presumptively precludes eligibility, except for persons who also have the diagnoses of cerebral palsy, epilepsy or autism and if all other conditions (e.g., impaired adaptive functioning deficits occur concurrently and required services are similar to those needed by persons with mental retardation**) are satisfied.
 - d) Intellectual impairment* above the average mean (e.g., 100) precludes eligibility for all persons for the developmental disabilities waiver.
 - e) Persons currently receiving Medicaid Waiver services who do not meet these criteria will be terminated from waiver services, but may continue to receive state funded services through the Division after an evaluation shows continuing needs. These individuals shall be re-evaluated annually for continuing needs and their status should be reported by the Region Director to the Division Director.

* as measured by an individually administered, standardized test of general intelligence.

** an array of services, supportive individuals, and receptive settings which meet an individual's needs that may range from pervasive and of lifelong duration to intermittent or short-term.